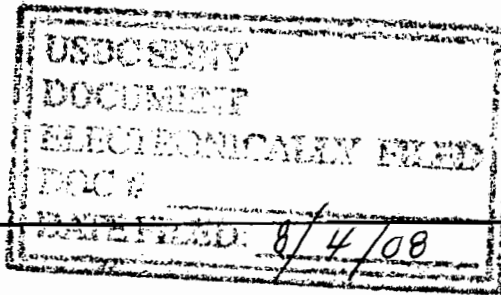


U.S. Department of Justice

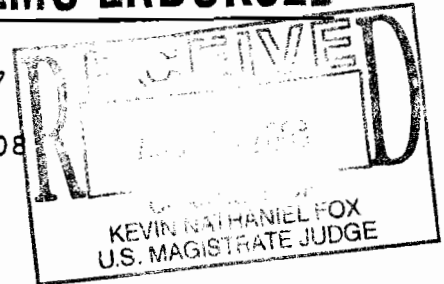


United States Attorney  
Southern District of New York

**MEMO ENDORSED**

86 Chambers Street  
New York, New York 10007

August 1, 2008



BY FAX

Honorable Kevin N. Fox  
United States Magistrate Judge  
United States Courthouse  
500 Pearl Street, Room 530  
New York, New York 10007-1312

Re: Maarelin Perez o/b/o Mariengis N. Perez v. Astrue  
07 CV 10372 (JSR) (KNF)

Dear Judge Fox:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to inform the Court of recent events and to request an extension of time in which to file defendant's reply.

Pursuant to the Court's order of July 25, 2008, defendant must file his reply on or before Monday, August 4, 2008. After reconsidering his position in this matter, the Commissioner decided to offer plaintiff a remand for further administrative proceedings. I sent a proposed stipulation for remand to plaintiff today, August 1, 2008. To allow plaintiff time to consider the proposed remand, I respectfully request that the time by which defendant must file his reply be extended by thirty days, to September 3, 2008. This is the government's third request for an extension. I attempted to obtain plaintiff's consent by contacting her attorney, but he will not return from vacation until Monday.

Thank you for your consideration of this matter.

8/4/08

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

*Susan C. Branagan*  
SUSAN C. BRANAGAN  
Assistant United States Attorney  
Telephone: (212) 637-2804  
Fax: (212) 637-2750

*On or before August 12, 2008,  
the defendant shall send and file  
his reply or submit to the Court a  
copy of the fully executed stipulation  
referenced above.*

SO ORDERED:  
*Kevin Nathaniel Fox*  
KEVIN NATHANIEL FOX, U.S.M.J.  
cc: Michael Hampden, Esq.